

CHADBOURNE & PARKE LLP



Thomas N. Pieper

Counsel

Practice Description

Thomas Pieper focuses on complex international dispute resolution, with a particular emphasis on Latin American and European parties. He has successfully represented foreign and domestic clients in large international cases before German, Mexican and U.S. courts, as well as in international arbitrations, both before arbitral organizations such as the ICC, the AAA and in *ad hoc* proceedings. He also assists clients in FCPA related investigations.

Fluent in Spanish, he has spent significant time during his professional and academic career in Spain and Mexico. Mr. Pieper's dual training in civil law and common law allows him to understand the cultural and legal differences between the various legal systems and combined with his language skills, to communicate with clients in their native language.

Representative Matters

- Represent major European utility company in a high profile arbitration against a state-owned company from a Central American country (ICC, Paris, Law of Central American country/French law, Spanish).
- Advise a German and two Peruvian entities with regard to the nationalization of their assets by a South American country and the potentially resulting investment treaty arbitration (UNCITRAL Rules, Washington, D.C., Law of South American country / BITs, Spanish).
- Represent Dubai-based entity in a dispute involving the development of a port (DIAC, Dubai, Dubai law, English).
- Represent a Chilean natural gas company against an Argentine gas supplier (ICDR, New York, Argentine law, English).
- Advise a UK based multinational and its Mexican affiliate in a potential NAFTA dispute against Canada.
- Represent a Malaysian company in a dispute against a U.S. based oil and gas company in a dispute involving a joint venture in Qatar (LCIA, London, NY law, English).
- Represent a graphic artist against a U.S. based hedge fund over an investment dispute (AAA, New York, New York law, English).
- Represent a Swiss investment fund in an arbitration against a U.S. based hedge fund over an investment dispute (ICDR, New York, New York law, English).
- Represent a South American pharmaceutical company in an arbitration against a U.S. pharmaceutical in a dispute about product licensing and distribution in Latin America (ICC, New Jersey law, English).
- Represent a large international investment bank in a NASD

Practice Areas

[Arbitration and ADR](#)

[Climate Change](#)

[Litigation](#)

[Special Investigations and Government Enforcement](#)

Industries

[Communications, Media and Technology](#)

[Energy](#)

[Food and Beverage](#)

[Pharmaceuticals and Medical Devices](#)

[Renewable Energy](#)

Regions

[North America](#)

[United States](#)

[Europe](#)

[Latin America](#)

Education

- Ludwig Maximilian University of Munich, School of Law, J.D., *with honors*, 1994
- Ludwig Maximilian University of Munich, School of Political Science, M.A., *with honors*, 1999
- New York University School of Law, LL.M., Graduate Editor, *Journal of International Law & Politics*, 2000

Professional Background

- Law Clerk, Munich Court of Appeals, 1994-1996
- Studied law and political sciences, Universities of Augsburg and Munich (Germany) and Geneva and Lausanne (Switzerland)
- Alumnus, Hague Academy of International Law

30 Rockefeller Plaza
New York, NY 10112
United States of America

+1 (212) 408-5516
tpieper@chadbourne.com

arbitration over the handling of certain notes from a Mexican issuer (NASD, New York, English).

- Won award in excess of \$70 million for an Argentine investment fund in an arbitration against a leading Spanish bank in a dispute arising out of an investment in an internet-related venture; successful defended award in vacatur proceedings brought in New York based on "manifest disregard of the law."
- Conduct wide-spread FCPA investigation in Argentina and Mexico.
- Represent a world class tennis player from Argentina before the Court of Arbitration for Sport (CAS) in an appeal against sanctions for alleged doping violations.
- Represent a Mexican company in a multimillion dollar arbitration against a U.S. conglomerate in a dispute over a joint venture.
- Represent an Italian manufacturer in a product liability case against a U.S. plaintiff.
- Won substantial award for a German automotive component manufacturer in a \$90 million arbitration against a leading parts supplier from Spain in a dispute involving a breach of strategic alliance.
- Won \$40 million award for a German automotive component manufacturer in an arbitration against a Japanese competitor.
- Represent families of passengers and crew members of the Concorde crash in litigation against Air France, Continental Airlines, et. al.
- Represent a German company in a multimillion dollar law suit before a Mexican court.
- Represent U.S. multinational in FCPA investigation in South America.

Honors

Mr. Pieper was ranked by [Chambers and Partners, Latin American edition](#) Latin America-wide for International Arbitration in 2010.

Publications

- "Arbitrators Have the Power to Award Fees and Costs Notwithstanding Contractual Provision Providing that Each Party Bear its Own Expenses," (co-author), *International Bar Association's Arbitration News*, Vol 15 No 1 , March 2010
- "[New Era for Choice of Court Agreements](#)," (co-author), *New York Law Journal*, April 13,2009
- "'Manifest Disregard of the Law' After Hall Street –From One Circuit Split to the Next," *International Law Practicum (NYSBA)*, Vol. 22, No. 1, Spring 2009
- "Achieving the Intended Purpose of Arbitration Agreements in the U.S. and Brazil, The Limited Scope of Judicial Review of Arbitral Awards under the U.S. Federal Arbitration Act and the Necessity of a Compromisso under the Brazilian Arbitration Law ," *Brazilian Arbitration Review*,

Admissions

1996 Germany
 2001 New York
 2002 U.S.D.C. - S.D.N.Y.
 2002 U.S.D.C. - E.D.N.Y.
 2004 U.S. Ct. Int'l. Trade
 2005 U.S. Ct. Fed. Cl.
 2005 U.S. Sup. Ct.
 2006 U.S. Ct. App. - 2d Cir.

Languages

English
 French
 German
 Spanish

Revista Brasileira de Arbitragem N° 19, 2008

- ["U.S. Supreme Court: Parties May Not Expand by Agreement the Scope of Judicial Review under the Federal Arbitration Act,"](#) March 27, 2008
- ["Limitations Lurking In Parties' Ability To Craft Arbitration Agreements: The Scope of Judicial Review of Arbitral Awards under the U.S. Federal Arbitration Act,"](#) (co-author), *Revista del Club Espanol del Arbitraje*, February 2008
- "English Disclosure and U.S. Discovery," (co-author), *Transatlantic Commercial Litigation and Arbitration*, *John Fellas*, January 1, 2004
- "The Growth of International Commercial Arbitration in Latin America," *The International Comparative Legal Guide to International Arbitration*, January 1, 2004

Speeches and Events

- [How Corporate Counsel Can Avoid Common Pitfalls In International Litigation](#), June 10, 2010
- ["Cross-Border Litigation and Dispute Resolution,"](#) NYSBA's Second Annual Fundamentals of International Practice, New York, NY, April 13, 2010
- "Cross-Border Litigation and Dispute Resolution," NYSBA's First Annual Fundamentals of International Practice, New York, NY, April 30, 2009
- Tribunal Superior de Justicia/ICDR, Sesión Práctica: Arbitraje, (panelist), Mexico City, Mexico, June 26, 2008
- CANACO, Ejercicio de la Abogacía en el Arbitraje – Argumentación escrita y oral, (panelist), Mexico City, Mexico, June 26, 2008
- [German American Renewable Energy Conference](#), Syracuse, NY, June 24, 2008
- ILT Seminar, International Arbitration, faculty, April 14, 2008
- [ICDR Miami International Arbitration Conference](#), Coral Gables, FL, March 31, 2008
- New York County Lawyers' Association, Second Annual American Law Academy, faculty, New York, July 24-27, 2006
- PLI's International Business Litigation & Arbitration Program, speaker, New York, March 28, 2006
- "Taking Evidence Abroad," UIA Winter Seminar on International Civil Litigation, Breckenridge, February 25-March 3, 2006
- "Transatlantic Litigation," NYSBA's International Law and Practice Section's Fall Meeting, panel chair, London, United Kingdom, October 20, 2005
- PLI's International Business Litigation & Arbitration Program, speaker, New York, March 28, 2005
- NYSBA's International Law and Practice Section's Fall Meeting, panel chair, Santiago, Chile, November 12, 2004
- "The Use of Non-Domestic Courts for Obtaining Domestic Relief," International Law Weekend, panel chair, New York, October 14, 2004
- "International Arbitration Update," speaker, Orlando, June

25, 2003

- NYSBA's Commercial and Federal Litigation Section's Fall Meeting, speaker, Hershey, May 16, 2003
- "International Litigation Update," speaker, Miami, April 25, 2003
- NYSBA's International Law and Practice Section's Fall Meeting, panel chair, Rome, Italy, October 30, 2002